

January 6, 2004

WASHINGTON STATE LABOR COUNCIL
ATTN: DIANE MCDANIEL
314 FIRST AVENUE WEST
SEATTLE WA 98119

Subject: Complaint filed against Pierce County Affordable Housing Council-PDC
Case No. 04-302

Dear Ms. McDaniel:

The Public Disclosure Commission staff has completed its investigation of your complaint received October 28, 2003, alleging that the Pierce County Affordable Housing Council (PCAHC) violated RCW 42.17 by making contributions in excess of the statutory limit.

Your complaint was reviewed in light of the following statutes:

RCW 42.17.105 prohibits any person from making, or a candidate or political committee from accepting from any one person, contributions that in the aggregate exceed more than \$5,000 during the 21 days before a general election.

RCW 42.17.020(14) states that a contribution does not include a contribution that is returned within five days of receipt.

You alleged that the PCAHC violated RCW 42.17 by making contributions that exceeded \$5,000 during the 21-day period preceding the 2003 general election (October 14, 2003 – November 3, 2003).

We found that:

- On October 21, 2003, the PCAHC filed a Last Minute Contribution Report (LMC) disclosing a \$6,172.50 contribution made on October 23, 2003, to the Washington Affordable Housing Council (WAHC), the political committee of the Building Industry Association of Washington (BIAW).

- After filing the LMC report on October 21st, the PCAHC was contacted by PDC staff informing them that the contribution exceeded the \$5,000 limitation for contributions by a single source during the 21-day period preceding a general election. Once contacted, the contribution was promptly returned by the WAHC and the check was voided by the PCAHC.
- The \$6,172.50 contribution from the PCAHC was presented to the WAHC at the BIAW's Fall Board Meeting on October 23, 2003. The WAHC checked with the PDC, and based upon that conversation did not deposit the contribution, but instead returned the contribution the following day, October 24, 2003.

Since the WAHC returned the contribution to the PCAHC one day after its receipt in accordance with RCW 42.17.020(14), no contribution was technically made by the PCAHC or received by the WAHC.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against the Pierce County Affordable Housing Council.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll free at 1-877-601-2828.

Sincerely,

Vicki Rippie
Executive Director

c: Pierce County Affordable Housing Council